

Amendments to House Bill No. 25  
3rd Reading Copy

Requested by Senator David Wanzenried

For the Senate Natural Resources and Energy Committee

Prepared by Sonja Lee  
March 30, 2007 (7:39am)

1. Title, page 1, line 11.

Following: "ASSETS;"

Insert: "REQUIRING THE PUBLIC SERVICE COMMISSION TO ESTABLISH  
TARIFFS;"

2. Page 11, line 7.

Following: "exemption"

Insert: "-- tariffs"

3. Page 13, line 14.

Following: "KILOWATTS"

Strike: "AND"

Insert: "that is not purchasing electricity from a public utility  
on [the effective date of this act] or a small customer of a  
buying cooperative pursuant to Title 35, chapter 19,"

4. Page 13, line 15.

Following: "SUPPLIER"

Insert: "or a buying cooperative established pursuant to Title  
35, chapter 19"

Following: "CUSTOMER"

Insert: "or small customer of a buying cooperative pursuant to  
Title 35, chapter 19"

5. Page 13, line 18.

Following: "(B)"

Strike: "A"

Insert: "Except as provided in subsection (3), a"

6. Page 13.

Following: line 20

Insert: "(3) Subject to the tariffs established pursuant to  
subsection (6) and notwithstanding any other provisions of  
this section, a small customer, as defined in 35-19-102,  
may:

(a) choose to purchase electricity from a buying cooperative  
pursuant to Title 35, chapter 19; and

(b) subsequently purchase electricity from a public  
utility."

Renumber: subsequent subsections

7. Page 13, line 21.

**Following:** "AFFECTS"

**Strike:** "A RETAIL CUSTOMER'S"

**Insert:** "the"

**Following:** "OBLIGATIONS"

**Insert:** "of a customer pursuant to subsection (3) or the rights and obligations of a retail customer"

8. Page 13, line 27.

**Strike:** "(4) (B)"

**Insert:** "(5) (b)"

9. Page 14, line 1.

**Strike:** "(4) (A)"

**Insert:** "(5) (a)"

10. Page 14.

**Following:** line 4

**Insert:** "(6) Upon the request of an electricity supplier or a buying cooperative formed pursuant to Title 35, chapter 19, the commission shall prepare the following tariffs for public utilities:

(a) a nondiscriminatory, cost-based tariff indicating the costs that a public utility will incur if transmission and distribution services are provided to another electricity supplier;

(b) a nondiscriminatory, cost-based reentry tariff for the relevant customer class to defray the costs of a customer returning to a public utility, with the commission taking into account, among other things, the benefit to the public utility customers of having increased load from the additional customer to defray costs on all of its systems; and

(c) a nondiscriminatory, cost-based tariff for a customer class to defray the unrecovered, embedded costs of customers that leave the utility. The commission shall, in making a decision on a tariff, take into account the following:

(i) additional demands on the energy supply system that can defray the loss of customers;

(ii) the extent to which the customer leaving the energy supply system will enable the utility to purchase less power, decreasing spot-market or short-term contract purchases;

(iii) the benefit to the utility of not needing to construct additional generation facilities; and

(iv) any other factors that the commission considers necessary."

11. Page 16, line 24.

**Strike:** the first "and"

**Insert:** ", buying cooperatives formed pursuant to Title 35,

chapter 19, and"

12. Page 16, line 26.

**Following:** "identified in"

**Insert:** "35-19-102 and"

13. Page 16, line 27.

**Following:** "and (2)"

**Insert:** "and small customers pursuant to 35-19-102"

- END -